

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

ANGELICA PEREIRA, R.N.
License # 26NR12760800

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

Administrative Action

**FINAL ORDER
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Angelica Pereira (Respondent) is a registered professional nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about February 28, 2014, a letter of inquiry was sent to Respondent's address of record with the Board by certified and regular mail, asking Respondent to supply information concerning an arrest on January 2, 2014 for possession of a controlled dangerous substance, and also requesting information concerning continuing education completed in the last three years.
3. The certified mailing of the letter was returned, unclaimed. The regular mailing was not returned. The Board received no response.

4. Respondent indicated on her 2012 renewal application that she would have timely completed continuing education requirements for the June 1, 2010-May 31, 2012 licensing cycle by May 31, 2012.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's inquiry constitutes a failure to cooperate with a Board investigation in violation of N.J.A.C. 13:45C-1.2 - 1.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

Respondent's failure to provide documentation of having completed continuing education is interpreted as a failure to timely complete continuing education requirements for the June 1, 2010 – May 31, 2012 renewal period in violation of N.J.A.C. 13:37-5.3, subjecting Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h).

Respondent's indication on her 2012 renewal application that she would have timely completed continuing education requirements for the June 1, 2010 – May 31, 2012 renewal period constitutes misrepresentation in violation of N.J.S.A. 45:1-21(b).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline seeking a suspension, reprimand, and an aggregate civil penalty of seven hundred and fifty dollars was entered on May 28, 2014. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and

conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent responded to the Provisional Order of Discipline by providing a fax stating that she was gathering the information and documentation requested by the Board and that she would send it in by September. In September, Respondent was reminded that the Board had not yet received any information or documentation. Respondent sent a second fax stating that she would send in the information and documentation by the end of October. Respondent also provided an updated address. In November, Respondent sent a third fax again stating that she would send information or documentation within three weeks. Extra time was afforded and the Board has received no further response.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, as Respondent did not dispute the findings of fact or conclusions of law. Respondent has still failed to provide any documents pertaining to her arrest, employment, or continuing education.

ACCORDINGLY, IT IS on this 22 **day of** January, 2015,

ORDERED that:

1. Respondent's New Jersey nursing license is hereby suspended until she has fully responded to the Board's request for information, and until she has demonstrated completion of thirty hours of continuing education in satisfaction of the

June 1, 2010 – May 31, 2012 renewal period, and is entirely up-to-date in her continuing education obligation (including another thirty hours of continuing education for the June 1, 2012 – May 31, 2014 renewal period).

2. A public reprimand is hereby imposed for the violation of N.J.S.A. 45:1-21(b).

3. A civil penalty in the amount of five hundred dollars (\$500) is hereby imposed for the violation of N.J.A.C. 13:45C-1.2 - 1.3, and a civil penalty of two hundred and fifty dollars (\$250) is hereby imposed for the violation of N.J.A.C. 13:37-5.3, for a total penalty amount of seven hundred and fifty dollars (\$750). Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

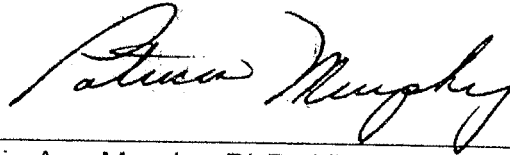
4. Respondent shall refrain from practicing as a nurse in the State of New Jersey and shall not represent herself as a Registered Professional Nurse in the State of New Jersey until such time as Respondent's license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

5. Continuing education hours completed currently and applied to cure the deficiencies of previous biennial periods shall not also be used to satisfy the requirements of the current biennial period.

6. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent ultimately provides in response to the letter of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By:

A handwritten signature in black ink, appearing to read "Patricia Ann Murphy", written over a horizontal line.

Patricia Ann Murphy, PhD, APN
Board President